

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:20-CR-207-FL-1

UNITED STATES OF AMERICA,

v.

MICHAEL LEWIS WHITE,

Defendant.

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ORDER

This matter is before the court on defendant's motions to appoint counsel (DE 57) and for compassionate release (DE 53). Where defendant previously was appointed counsel in connection with his request for compassionate release, but counsel withdrew pursuant to Standing Order 19-SO-3, the court declines to appoint additional counsel in these circumstances. In addition, and in the alternative, defendant has not shown that the interests of justice support appointment of substitute counsel in this post-conviction setting. See 18 U.S.C. § 3006A(a)(2)(B). Accordingly, the motion to appoint counsel (DE 57) is DENIED. Defendant must proceed pro se with any future motion for compassionate release.

The pending pro se motion for compassionate release fails to demonstrate extraordinary and compelling reasons for a sentence reduction. See 18 U.S.C. § 3582(c)(1)(A); United States v. Kibble, 992 F.3d 326, 330 (4th Cir. 2021) (discussing district court's "broad discretion" when determining whether a defendant has presented extraordinary and compelling reasons for compassionate release). Defendant acknowledges that his father is capable of caring for himself, and defendant therefore cannot establish grounds for compassionate release on the basis of the need to care for an incapacitated family member. (DE 57); see also U.S.S.G. § 1B1.13 cmt.

n.1(C). Accordingly, the pro se motion for compassionate release (DE 51) is DENIED without prejudice. Defendant may file a renewed pro se motion for compassionate release in the event he can establish that his family member is incapacitated, or if he believes other extraordinary and compelling reasons justify compassionate release.

SO ORDERED, this the 15th day of June, 2023.

  
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LOUISE W. FLANAGAN  
United States District Judge